

2012 DEC 26 PM 2:07

CLERK OF COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY NO

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, *ex rel.*
RYAN FERGUSON and MARK T. PACHECO,

Plaintiffs,

v.

BRIDGEPOINT EDUCATION, INC.; ASHFORD
UNIVERSITY, LLC; UNIVERSITY OF THE
ROCKIES; and DOES 1-20,

Defendants.

) Case No. 11CV0493-BTM (DHB)

) PROPOSED ORDER

) **FILED UNDER SEAL**

The United States having declined to intervene in this action pursuant to the False Claims Act,
31 U.S.C. § 3730(b)(4)(B), the Court rules as follows:

IT IS ORDERED that:

1. The Complaint be unsealed and served upon the defendants by the relators;
2. All other contents of the Court's file in this action remain under seal and shall not be made public or served upon the defendants, except for this Order and the United States' Notice of Election to Decline Intervention, which the relators will serve upon the defendants only after service of the Complaint;
3. The seal be lifted as to all other matters occurring in this action after this Order;

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1 4. The parties shall serve all pleadings and motions filed in this action, including supporting
2 memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3). The United States may
3 order any deposition transcripts and is entitled to intervene in this action, for good cause, at any time;

4 5. The parties shall serve all notices of appeal upon the United States;

5 6. All orders of this Court shall be sent to the United States; and that

6 7. Should the relators or the defendants propose that this action be dismissed, settled, or
7 otherwise discontinued, the Court will provide the United States with notice and an opportunity to be
8 heard before ruling or granting its approval.

9 **IT IS SO ORDERED.**

10 Dated: 12-26-2012


HON. BARRY T. MOSKOWITZ
United States District Judge

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12 cc: Counsel for the United States
13 Counsel for the relators
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